

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

RAMOND RAY BELVIN, JR.,

Petitioner,

v.

Civil Action No. 3:11CV354

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM OPINION

Petitioner moved to voluntarily dismiss this action. The United States has not filed an answer to the complaint or a motion for summary judgment. Thus, Petitioner's motion operates to dismiss the action without prejudice without order of the Court. *See* Fed. R. Civ. P. 41(a)(1)(A)(i). Accordingly, the Court will GRANT Petitioner's motion (Docket No. 12), and the action will be DISMISSED WITHOUT PREJUDICE. Furthermore, the accounting department at Petitioner's place of incarceration will be DIRECTED to cease collecting fees for the present action.

An appropriate Order will accompany the Memorandum Opinion.

It is so ORDERED.

Date: 8/8/11
Richmond, Virginia

/s/ *[Signature]*
John A. Gibney, Jr.
United States District Judge